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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,920	06/13/2001	Metaxas Gamvrelis	839-954	2278

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EXAMINER

MORRIS, ANDREW P

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/878,920

Applicant(s)

GAMVRELIS ET AL.

Examiner

Andrew P Morris

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2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent

2. Claims 1, 2, 7, 8, 13, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Przydatek et al. (US Patent No. 6,397,155). Przydatek et al. disclose an apparatus for monitoring and reporting electric signals on electric circuits comprising a first system for receiving input data from a field transformer (Figure 1, elements 16 and 18), a digital signal processor coupled to first system (Figure 1, element 20), and a microprocessor system coupled to said DSP system (Figure 1, element 22) wherein said apparatus performs metering, power quality functions, digital fault recording (col. 2, lines 52-58), supervisory control and data acquisition functions (col. 4, lines 20-39), and control of communication software (col. 15, lines 17-23). Przydatek et al. also disclose an AC subsystem having a plurality of transformers each operating with respect to one phase of an electric circuit (col. 12, lines 50-53) and multiple switching circuits (Figure 1 elements 16, Figure 2), said AC subsystem being coupled to receive input data from a field sensor (Figure 1), and means for switching each switch to multiple positions depending on whether the current flowing through a primary circuit of a respective transformer is in a metering range or an overcurrent range (col. 4, lines 20-39).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 5, 9, 10, 14, 15, 17, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Przydatek et al. (US Patent No. 6,397,155) in view of Lusignan et al. (US Patent No. 5,548,209). Przydatek et al. do not disclose a circuit assembly for providing surge or transient protection. Lusignan et al. disclose the use of a bypass capacitor (Figure 2, elements 25) placed in between a field sensor (Figure 2, elements 16,17,18) and the primary circuit of a transformer (Figure 3, elements 16,17), wherein said capacitor provides surge and transient protection to a metering system. It would have been obvious to one of ordinary skill in the art at the time of invention to add a bypass capacitor to the field sensor-transformer network of Przydatek et al., in the same manner that the capacitor is implemented in Lusignan et al., that would provide surge and transient protection to the system of Przydatek et al. for the purpose of preventing possible damage to the meter of Przydatek et al.

5. Claims 6, 11, 12, 16, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Przydatek et al. (US Patent No. 6,397,155) in view of Lusignan et al. (US Patent No. 5,548,209), and further in view of Farrington et al. (US Patent No. 5,247,454). Neither Przydatek et al. nor Lusignan et al. disclose protection of a metering apparatus from signals that are higher in absolute value than the supply voltage. Farrington et al. (US Patent No. 5,247,454) disclose the use of a diode mirror circuit for the purpose of protecting a metering apparatus from signals that are higher in absolute value than the supply voltage (col. 5 line 69 – col. 6 line 1). It would have been obvious to one of ordinary skill in the art at the time of invention to add the diode mirror circuit of Farrington et al. to the proposed combined system of Przydatek et al. and

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Lusignan et al. that would provide said combination with protection from signals that are higher in absolute value than the supply voltage in order to prevent possible damage to the combined system.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Germer et al. (US Patent No. 5,258,704) disclose switching of the circuits of a meter based on the amplitude of the detected voltage (Figure 18).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew P Morris whose telephone number is (703) 605-4213. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (703) 308 1677. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7414 for regular communications and (703) 746-7414 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3431.

apm  
February 4, 2003

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800